

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION, AKRON

IN THE MATTER OF:)	CASE NO.17-50236
)	
LOUIS ANTHONY TELERICO)	
)	CHAPTER 7
)	
)	JUDGE ALAN M. KOSCHIK
Debtor)	
_____)	

**TRUSTEE’S APPLICATION TO EMPLOY SCOTT TINLIN OF PLATINUM
REAL ESTATE AS OF APRIL 18, 2019**

Now comes Kathryn A. Belfance (“Trustee”), the duly appointed Trustee of the above named Debtor’s estate, by and through counsel, and respectfully moves this Court for an Order Nunc Pro Tunc employing Scott Tinlin of Platinum Real Estate (“Realtor”) for the purpose of selling Debtor’s real estate known as Barrington 2, Lot 133, .091 acres of vacant land.

1. Trustee states that prior to her appointment as such Trustee in the case, the Debtor engaged the services of Scott Tinlin of Platinum Real Estate for the purpose of selling the aforesaid real estate.
2. Trustee states that said Realtor is well qualified to render the foregoing services. Trustee states that the aforesaid Realtor’s commission shall not exceed the commercially reasonable and standard amount of 6.25% of the total purchase price. Trustee further states that aforesaid Realtor has no interest adverse to that of the Trustee

or the Debtor's estate and is a disinterested person within the meaning of 11 U.S.C. §101(14).

3. Trustee states that she believes that neither Realtor, nor any person with whom Realtor is associated, is a relative by blood or marriage of any Bankruptcy Judge of the Northern District of Ohio or the United States Trustee for this region, and that he is not now nor has he ever been so connected with any such Judge as to render his appointment or the Court's approval of his employment as Realtor in the above-captioned matter improper pursuant to Bankruptcy Rule 5002.

4. Trustee states that she believes that Realtor was not, and is not presently connected with the debtor, creditors or any other party in interest or their respective attorneys and/or accountants in the present matter, including Trustee.

5. Further, Trustee states that this Application is to fully disclose to the Court matters that might be considered by any party to create any issue or claim of conflict or lack of being a disinterested party, as to Realtor, and to disclose to the Court that the only fees and expenses to be paid to Applicant shall be those allowed pursuant to order of this Court, with none of such fees or expenses to be shared with third parties, other than the members or associates of Applicant's real estate company, and other than those fees which are customarily shared with other agents who have been involved with the sale of the real estate at issue.

6. Said appointment of employment fees are as follows: the total commission paid to Realtor shall not exceed 6.25% of the gross sales price. Said expenses are as follows: Fair and reasonable reimbursement for items of expense, which include but are not limited to: print and electronic advertising, "walk throughs" and/or other visits to the

property, circulars or other such notices of sale, postage, execution of pertinent documents, and other such out-of-pocket expenses incurred by Platinum Real Estate or its representatives.

7. Trustee states that the within Application has been served upon the Office of the United States Trustee as required by the Court.

WHEREFORE, Trustee requests that she be authorized to adopt as her own the listing contract entered into between the debtor and thus employ Scott Tinlin of Platinum Real Estate as her Realtor to render service in the areas described above with compensation to be paid as an administrative expense at such amounts as the Court may hereafter determine and allow.

Respectfully Submitted:

/s/ Kathryn A. Belfance
KATHRYN A. BELFANCE
Registration No. 0018035
Chapter 7 Trustee
50 S. Main Street, 10th Floor
Akron, Ohio 44308
(330) 434-3000
(330) 434-9220
kb@rlblp.com

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of November 2019, a true and correct copy of the foregoing Application to Appoint Realtor Nunc Pro Tunc was served as follows:

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

Office of the U.S. Trustee

Susan J. Lax, at susan.lax@hotmail.com

Frederic P. Schwieg, at fschwieg@schwieglaw.com

Todd A. Atkinson, at tatkinson@ulmer.com

Philip Leonard Bednar, at philip.l.bednar@usdoj.gov

Bryan J. Farkas, at bjfarkas@vorys.com

Scott D. Fink, at ecfndoh@weltman.com

Stephen R. Franks, at amps@manleydeas.com

Bryan T. Kostura, at bkostura@mcglinchey.com

Allison Manayan, at amanayan@portageco.com

Michael J. Occhionero, at mjocolpa@sbcglobal.net

James W. Sandy, at jsandy@mcglinchey.com

Richard P. Schroeter, at rschroeter@amer-collect.com

David J. Sternberg, at djsternberg@ameritech.net

Joshua Ryan Vaughan, at jvaughan@amer-collect.com

Steven L. Wasserman, at swasserman@westonhurd.com

Maria D. Giannirakis, ust06 maria.d.giannirakis@usdoj.gov

Scott R. Belhorn, ust35 Scott.R.Belhorn@usdoj.gov

Kathryn A. Belfance, Trustee, at kb@rlblp.com

And by regular U.S. mail, postage prepaid, on:

Louis Anthony Telerico, Debtor, P.O. Box 928, Aurora, OH 44202

Also served at 545 Bristol Dr., Aurora, OH 44202

Christopher J. Niekamp, 23 S. Main Street, Akron, OH 44308

Platinum Real Estate, 10 Public Square Drive, Willoughby, OH 44094

/s/ KATHRYN A. BELFANCE

KATHRYN A. BELFANCE (0018035)

Chapter 7 Trustee

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